

**Minutes**  
Town of Oshkosh

**Town Board Meeting – December 8, 2008 - 7:00 p.m. – Town Hall**

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 9.

Chairman Frey called meeting to order at 7:00 p.m.

**MOTION BY KAUFMANN, FREY SECONDED, APPROVE MINUTES DATED NOVEMBER 24, 2008 TOWN BOARD MEETING AS PRESENTED. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**MOTION BY KAUFMANN, FREY SECONDED, TO APPROVE MINUTES DATED NOVEMBER 24, 2008 BUDGET HEARING AS PRESENTED. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.**

**MOTION BY KAUFMANN, FREY SECONDED, TO APPROVE MINUTES DATED NOVEMBER 24, 2008 SPECIAL TOWN MEETING AS PRESENTED. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**Public Participation:**

Ronald Braasch, 4949 Sherman Rd, had three questions for the board.

- Braasch asked information on what he can or cannot do regarding a posting a mailbox. Information is provided by the post office on what they will allow.
- There is a cross culvert just before the railroad tracks crossing Sherman where water does not go through because the culvert is crushed. Chairman Frey will take a look at it.
- Snowmobiles are causing damage to his driveway and leaving trash. Officer Mike Lichtensteiger with Winnebago County was in attendance and said they were out there last week. Braasch asked about planting trees or putting something else in the right-of-way that would deter traffic. Board said nothing can be put in the right-of-way. It is a matter of calling the police when an incidences occurs. It is understood that in most cases by the time the police arrive, the violators are already gone. The doard will give the matter some thought on what else could be done.

### **Planning and Zoning:**

#### **Building Inspector report.**

Dave Frank, Town Building Inspector, said that there's no news to report.

#### **Approve Certified Survey Map of William Monteith.**

The City of Oshkosh did deny the CSM due to their land use plan, but admitted that their plan needs to be changed. They are going to correct their plan with an amendment. No original was available to sign. Decision was postponed to next town board meeting.

#### **Zoning Change; a Planning & Zoning Committee Amendment.**

Treasurer Gabert reported that the County has already approved the fee adjustments to park shelters and Huber prisoners.

#### **Zoning Change of RJ Albright.**

Property is already zoning commercial. Located SW of 5001 Green Valley Road. Applicant is requesting a Zoning Change to B-3(H-B) (General Business District – Highway Business) in order to construct business offices and warehouses.

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE ZONING CHANGE OF RJ ALBRIGHT FROM B-3 TO B-3 HIGHWAY BUSINESS. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.**

#### **Text Amendment to Conditional Uses.**

Our town had a problem due to town resident wanting to sell use cars and the city wouldn't approve it because of their zoning plan. Winnebago County had to amend their ordinance to allow to sort of situation and the town sponsored this text amendment.

**MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO APPROVE ZONING CHANGE PLANNING & ZONING COMMITTEE AMENDMENT TO ALLOW SELLING CARS IN B-2 ZONING ALLOWING FOR CONDITIONS TO BE SET. ROLL CALL. KAUFMANN, YES; FREY, YES; ERDMAN, YES. MOTION CARRIED.**

### **Unfinished Business:**

#### **Resolution-Imposing Its Authority to Coordinate with Other Government Bodies.**

Attorney John St. Peter sent his legal opinion on the resolution and advised not to sign such a resolution. Erdman has been in contact with the American for Prosperity organization and will discuss more details with them and report back to the board.

**New Business:**

**Dave Tellock, Veolia ES Solid Waste, update on refuse/recycling costs.**

Dave Tellock was not present.

**Troy Zacharias; Approve contract for Full-Revaluation.**

Zacharias said that it usually takes about seven years from the first time that it goes under compliance, which is 90% of full equalized value. On a revaluation, he tries to get the town above 100%. He won't be re-measuring all the buildings, unless there appears to be a conflict.

The plans are to start on the revaluation in 2009 and finish up in 2010.

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE CONTRACT FOR FULL-REVALUATION WITH ACTION APPRAISERS AND AMOUNT OF \$73,888 SPREADING OUT PAYMENTS WITHIN THE TWO YEARS AS DEFINED IN THE CONTRACT. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**Mathew Fahr – Approve Fireworks Permit for 2009 & discussion on land purchase for business.**

Mathew Fahr discussed their current position regarding where they are at in acquiring property at 5151 Jackson St. The current owner has the whole property listed with a realtor with a contract he believes will expire in February. They are interested in purchasing a portion of it.

**MOTION MADE BY ERDMAN, KAUFMANN SECONDED, TO APPROVE FIREWORDS PERMIT FOR 2009 WITH SAME PROVISION/TERMS AS PRIOR YEAR. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.**

**Approve selection for 2009 Winnebago County Per Capita Funding Program.**

**MOTION MADE BY ERDMAN, FREY SECONDED, TO APPROVE THE 2009 WINNEBAGO COUNTY PER CAPITA FUNDING PROGRAM TO THE CITY OF OSHKOSH. ROLL CALL. KAUFMANN, NO; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**DOT request to change name of Fountain Road to Snell Road.**

The DOT needs a decision by the town board for mapping/planning purposes. It is understood that the DOT will take care of all the road signs and anything cost related to having the road name change.

**MOTION MADE BY ERDMAN, FREY SECONDED, TO APPROVE A ROAD NAME CHANGE FROM FOUNTAIN AVENUE TO SNELL ROAD**

**DUE TO THE HWY 41 OVERPASS CONSTRUCTION. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, YES. MOTION CARRIED.**

**Re-Approve Ken Fell as Sunset Sanitary District Commissioner.**

**MOTION MADE BY KAUFMANN, FREY SECONDED, TO RE-APPROVE KEN FELL AS SUNSET SANITARY DISTRICT COMMISSIONER WITH TERM EXPIRING FEBRUARY 28, 2014. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.**

**Gary Bunke; Town Hall rental, bathrooms not working.**

A letter was received from Mr. Bunke that the bathrooms ceased to work while renting the town hall and cut their planned party short. Rupnow learned about the problem when one of the ambulance members used the bathroom and alerted him that the toilets were overflowing. A plumber was called on Tuesday, December 2<sup>nd</sup>. The pipe was plugged, a 100ft of pipe of cleaned and is now operating properly.

**MOTION MADE BY FREY, ERDMAN SECONDED, TO REIMBURSE GARY BUNKE THE FULL AMOUNT OF THE TOWN HALL RENTAL FEE. ROLL CALL. KAUFMANN, NO; ERDMAN, YES; FREY, YES. MOTION CARRIED.**

**Forthcoming Events of public interest:**

A copy of current budget was provided to board.

Frey and Erdman will attend meeting tomorrow at 1:30 p.m. at the Winnebago County highway department.

On Wednesday, there is a Fox Valley Urban Towns meeting in Grand Chute that Erdman will attend.

Next Tuesday, December 16<sup>th</sup>, is a Working Lands workshop in Kimberly. Erdman plans to attend with County Supervisor Chuck Farrey.

Frey reported on the Winnebago County re-write that he and Erdman went to last Saturday. Their plans are to go through the entire ordinance page by page updating and making the language consistent.

**Correspondence:**

1. WI Dept of Revenue; State School Levy Tax Credit.
2. St. Peter; legal comment on Am. For Prosperity Resolution.
3. WI Dept of Revenue; equalized values in school districts.
4. WI Dept of Revenue; Lottery Credit Calculation.
5. WTA; Working Lands Workshop information.

6. Time Warner; expiring channel agreements & changes to high-definition lineup.
7. Winnebago Co changes in Ordinances; Increase of Community Park Shelter Fees, Huber Law Prisoners, Citation Method of Enforcement.
8. DNR; High Capacity Well registration and Interim Approval.
9. City of Oshkosh; Comprehensive Plan amendments & hearing date.
10. Fox Valley Urban Towns Group meeting agenda December 10, 2008.

Correspondence provide to board at meeting:

1. Winnebago Co; Peerenboom sewer violation citation.

**MOTION TO PAY BILLS AS PRESENTED BY KAUFMANN, ERDMAN  
SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY ERDMAN, TO  
ADJOURN. MOTION CARRIED.**

Meeting adjourned at 8:40 p.m.

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Jeannette Merten, Town Clerk  
Town of Oshkosh